

1 SIEGMUND F. FUCHS
2 Trial Attorney, Torts Branch
3 D.C. Bar No. 986828
4 U.S. Department of Justice
5 Ben Franklin Station
6 P.O. Box 7146
7 Washington, D.C. 20044-7146
8 Telephone: (202) 616-4322
9 Facsimile: (202) 616-4314
10 Email: siegmund.f.fuchs@usdoj.gov

11 *Attorney for the United States*

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 RICK LOVELIEN and STEVEN STEWART,)
15 v.) Case No: 2:18-cv-02110-GMN-CWH
16 THE UNITED STATES OF AMERICA,)
17 DANIEL BOGDEN, STEVEN W. MYHRE,)
18 DANIEL SCHIESS, NADIA JANJUA)
19 AHMED, NEIL KORNZE, DAN P. LOVE,)
20 JAMES COMEY, JOEL WILLIS, FORMER)
21 SHERIFF DOUG GILLEPSIE, SHERIFF)
22 JOE LOMBARDO, BUREAU OF LAND)
23 MANAGEMENT, FEDERAL BUREAU OF)
24 INVESTIGATION, CLARK COUNTY)
25 SHERIFF'S DEPARTMENT, and DOES 1-)
26 100, inclusive,)
27 Defendants.)
28

12) **UNOPPOSED MOTION TO EXTEND
13 TIME TO FILE A RESPONSE
14 (Second Request)**

19 The United States of America moves to extend the time to respond to the Complaint.

20 This is the second motion to extend the time to respond to the Complaint. This case was initially
21 filed in the United States District Court for the District of Columbia. On August 28, 2018, the
22 United States moved to transfer the case to this Court. (ECF 9). On October 2, 2018, the D.C.
23 District Court extended the Government's time to respond to the Complaint until 30 days after it
24 ruled on the then-pending motion to transfer. The motion to transfer was granted on October 12,
25 2018, meaning that for those federal defendants who have been served, a response to the
26 Complaint is presently due on November 12, 2018. (ECF 13). The United States now seeks an
27 additional 30 days, until December 12, 2018, to respond to the Complaint, and states as follows:

1. Because the Complaint sues federal employees in their individual capacities, they may be entitled to representation by the Department of Justice pursuant to 28 C.F.R. § 50.15. Until the Department of Justice authorizes undersigned government counsel to represent any of the named federal employees in their individual capacities, he may only act to seek enlargements of time so that their interests and defenses are not compromised. Additional time is necessary to complete the process for those federal employees who have requested representation.

2. Undersigned government counsel is new to this case as the United States Attorney's Office for the District of Columbia handled the litigation up to the time of transfer. Additional time is necessary to adequately prepare a response to the Complaint, which contains seven counts against the United States of America, two federal agencies, and several high-ranking federal officials in their individual and official capacities.

For these reasons and with just cause shown, the United States requests that this Court extend the deadline to respond to the Complaint for those federal defendants who have been served to December 12, 2018. Counsel for the Plaintiffs does not oppose this motion.

Respectfully submitted this 6th day of November 2018.

JOSEPH H. HUNT
Assistant Attorney General, Civil Division

C. SALVATORE D'ALESSIO, JR.
Acting Director
Torts Branch, Civil Division

RICHARD MONTAGUE
Senior Trial Counsel
Torts Branch, Civil Division

s/ Siegmund F. Fuchs
SIEGMUND F. FUCHS
Trial Attorney
Torts Branch, Civil Division

Attorneys for the United States

DATED: November 8, 2018

IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I, Siegmund F. Fuchs, certify that the following individual was served with a copy of the
UNOPPOSED MOTION TO EXTEND TIME on the date and by the identified method of
service below:

ELECTRONIC CASE FILING:

Larry Klayman, Esq.
KLAYMAN LAW GROUP, P.A.
2020 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C., 20006
310-595-0800
leklayman@gmail.com

Dated this 6th day of November 2018.

/s/ Siegmund F. Fuchs
SIEGMUND F. FUCHS
Trial Attorney